



PATENT
HMD2000-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Thomas N. Giaccherini, et al.

Examiner: Ly, Anh Vu H.

Serial No.: 09/579,324

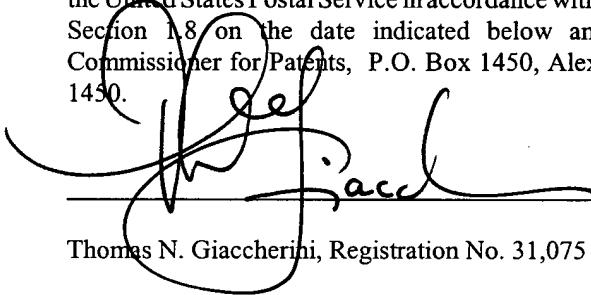
Group Art Unit: 2667

Title: **Method for Utilizing
Excess Communications Capacity**

Filed: 25 May 2000

CERTIFICATE OF MAILING UNDER 37 C.F.R. SECTION 1.8

The undersigned hereby certifies that this document is being deposited with the United States Postal Service in accordance with the provisions of 37 CFR Section 1.8 on the date indicated below and is addressed to The Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.



Thomas N. Giaccherini, Registration No. 31,075

Date

31 Aug
2005

THIRD DISCLOSURE STATEMENT

The Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

The Applicants submit this Third Disclosure Statement and completed Form PTO/SB/08A for their Pending U.S. Patent Application to report documents cited in related Patent Applications.

Third Disclosure Statement for U.S. Patent Application entitled
Method for Utilizing Excess Communications Capacity
U.S.S.N. 09/579,324
HMD2000-1

DISCLOSURE DOCUMENTS

Cited by Examiner Kieu-Oahn T. Bui

USSN 09/688,997

A- US 5 917 830 Chen

B- US 5 231 494 Wachob

C- US 5 526 035 Lappington

D- US 5 583 864 Lightfoot

Group Art Unit 2611

HMD2000-1-cipA

Cited by Examiner Frank Duong

USSN 09/833,094

A- US 5 657 072 Aristides

B- US 5 654 746 McMullan

Group Art Unit 2666

Docket No. HMD2000-1-cipB

Cited by Examiner Frank Duong

USSN 09/948,021

A- US 5 657 072 Aristides

B- US 6 029 045 Picco

Group Art Unit 2666

Docket No. HMD2000-1-cipC

Third Disclosure Statement for U.S. Patent Application entitled
Method for Utilizing Excess Communications Capacity
U.S.S.N. 09/579,324
HMD2000-1

Cited by Examiner Hai V. Nguyen

USSN 10/112,826

A- US 2003 007 0174 Solomon
B- US 2002 018 4457 Yuasa
C- US 6 651 141 Andrangi

Group Art Unit 2142

Docket No. HMD2000-1-cipG

Cited by Examiner Cameron Saadat

USSN 10/742,568

Docket No. VLT2000-1-cipR

A- US 5 572 442 Schulhof
B- US 6 671 736 Virine
C- 2002 019 4309 Carter
U- Glossary of Satellite Terms 2000 Design Publishers
V- Whats.techtarget.com

Group Art Unit 3713

Cited by PCT Authorized Officer

PCT/US04/41847

Docket No. VLT-LV-PCT

A- US 5 572 442 Schulhof

Third Disclosure Statement for U.S. Patent Application entitled
Method for Utilizing Excess Communications Capacity
U.S.S.N. 09/579,324
HMD2000-1

CONCLUSION

The Applicants submit this Third Disclosure Statement to report documents asserted against the Claims of related Patent Applications to comply with Rule 56 and the *Dayco* decision. The Applicants believe that no fee is required to submit this Third Disclosure Statement.

Respectfully submitted,

Thomas N. Giaccherini,
Applicants' Attorney

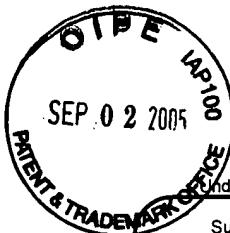
Registration No. 31,075

31 Aug 2005.

Thomas N. Giaccherini

Post Office Box 1146
Carmel Valley, California 93924
831.659.5300

Transmitted to the United States Patent Office
by First Class Mail with a Rule 8 Certificate
on Wednesday 31 August 2005



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

Complete if Known

Application Number	09/579,324
Filing Date	25 May 2000
First Named Inventor	Giaccherini
Art Unit	2667
Examiner Name	Ly, Anh Vu H.

Sheet **ONE** of **ONE**Attorney Docket Number **HMD2000-1 3DST****U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 5 917 830		Chen	
		US- 5 231 494		Wachob	
		US- 5 526 035		Lappington	
		US- 5 583 864		Lightfoot	
		US- 5 657 072		Aristides	
		US- 5 654 746		McMullan	
		US- 6 029 045		Picco	
		US- 2003 007 0174		Solomon	
		US- 2002 018 4457		Yuasa	
		US- 6 651 141		Andrangji	
		US- 5 572 442		Schulhof	
		US- 6 671 736		Virine	
		US- 2002 019 4309		Carter	
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ "Number" "Kind Code ⁵ (if known)				

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



PTO/SB/08B (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

She

ONE

of

ONE

Complete if Known

Application Number	09/579,324
Filing Date	25 May 2000
First Named Inventor	Giaccherini
Art Unit	2667
Examiner Name	Ly, Anh Vu H.
Attorney Docket Number	HMD2000-1 3DST

NON-PATENT LITERATURE DOCUMENTS

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1. Applicant's unique citation designation number (optional). 2. Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.